Clemency & Parole

- Coordinate with the Naval Clemency and Parole Board, hearings for Prisoners that are eligible for Clemency and/or Parole.

- If a Prisoner gets approved for parole, coordinate with his State’s Federal Parole Office, and acquire a Parole Officer.
- Member of Classification Board and Discipline and Adjustment Board
- Asst Victim/Witness Coordinator for the CPBB

WHAT IS CLEMENCY?

- Restoration to Duty (Probationary)
- Restoration of Pay-Grade
- Mitigation of a DD to a BCD
- Remission of Punitive Discharge
- Reduction in Sentence to Confinement
- Reduction in Forfeitures/Fine

“CLEMENCY YOU SAY?”

- BRIG CLEMENCY DEALS WITH:

- CONDUCT WHILE IN CONFINEMENT
- ATTITUDE IN CONFINEMENT
- RESPONSE TO TREATMENT WHILE IN CONFINEMENT
- PARTICIPATION IN GROUPS IN CONFINEMENT

CLEMENCY YOU SAY?

- **REMORSE FOR HIS CRIMES (IF A VICTIM IS INVOLVED OR NOT)**
- **TIME SERVED IN RELATIONSHIP TO HIS SENTENCE**
- **DOES THE SENTENCE FIT THE CRIME?**

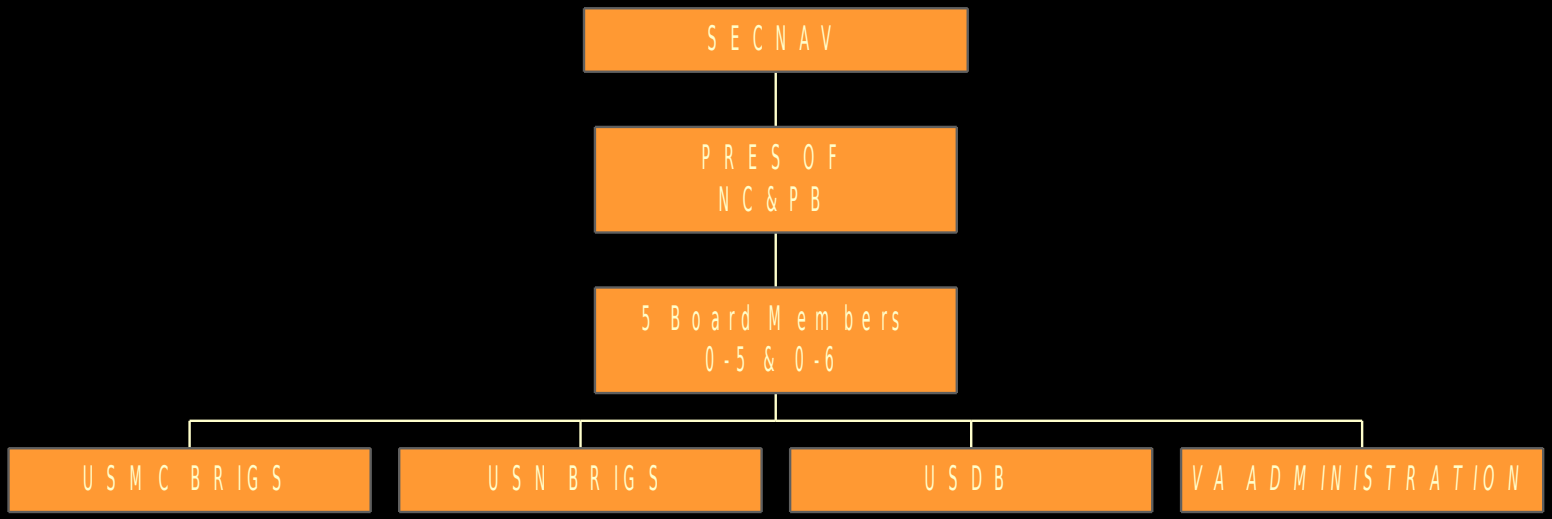
What is Parole?

- Incremental Parole: Probationary release from confinement on an incremental basis of at least six consecutive 30 day periods under the supervision of a Federal Parole Officer.
- Parole: Released from confinement to a Federal Parole Officer for the remaining period of his MAXIMUM SENTENCE.

ELIGIBILITY OF CLEMENCY AND PAROLE

- Prisoners serving a sentence of 12 months or more.
- Prisoners who have received a Punitive Discharge.

QUICK OVERVIEW OF THE NC&PB



EYE OPENER 2000

- 962 PRISONERS REQUESTED CLEMENCY
- 16 RECEIVED MITIGATIONS
- 5 RECEIVED REDUCTIONS IN SENTENCE
- 0 FOR RED IN FORF/FINES
- 0 RESTORATION TO DUTY

EYE OPENER

- 121 PRISONER REQUESTED PAROLE
- 25 WERE APPROVED

- SECNAV REVIEWED 44 CASES
- 14 PAROLE APPROVALS
- 6 CLEMENCY APPROVALS FOR REDUCTION IN SENTENCE ONLY

TIME FRAMES FOR PAROLE

- 12 TO 18 MONTH SENTENCE THE CPBB WILL REVIEW THEIR CASE FOUR MONTHS INTO CONFINEMENT.

- 18 MONTHS + 1/3 OF THEIR SENTENCE.

TIME FRAME FOR CLEMENCY

- SENTENCE GREATER THAN 12 MONTHS WITH A P.T.A. OF LESS THAN THAT, CPBB REVIEWS HALF OF SENTENCE.
- SENTENCE W/P.T.A. GREATER THAN PRISONER IS ELIGIBLE IN NINE MONTHS, CPBB REVIEWS AT SEVEN MONTHS.

- EVEN THOUGH THE CPBB REVIEWS A PRISONER FOR CLEMENCY AND PAROLE, THE NAVAL CLEMENCY AND PAROLE BOARD WILL NOT REVIEW THEM UNTIL THE CONVENING AUTHORITY ACTS ON THEIR CASE!!!!!

DELAYING CLEMENCY

- Most times, with a Prisoners sentence, he may have a date for Clemency and a different date for Parole.

- As Parole Officer, I can move initial Parole up or down 6 months so it matches their Initial or Annual Clemency Review Date.

DELAYING CLEMENCY

- This gives a Prisoner more time to:
- Establish himself in a group (i.e. Mandatory Groups like Sexual/Violent Offenders, Substance Abuse Group)

WAIVING CLEMENCY

- As per SECNAVINST 5815.3H paragraph 413.b

Waiver of initial mandatory clemency review will be executed by the offender in the presence of and witnessed by the offender's trial counsel, ordinarily a judge advocate certified in accordance with Article 27(b) or a judge advocate detailed or made available for the sole of advising the offender of the clemency options available and their consequences.

A judge advocate detailed solely for the purpose of advising the offender of clemency options will make clear to the offender the limited extent of this service and that such advice will not be construed as establishing an “attorney-client” relationship although attorney-client confidentiality will be observed.

WHY WAIVE???

- A Prisoner knowing that he will not be considered for clemency until after their C.A. acts.

- A long term Prisoner, 3+ years waives initial clemency to gain more “experience” as a prisoner and to attend more groups.